

**Draft Summary of Cultural Resources Work Group Meeting
Oroville Facilities Relicensing (FERC Project No. 2100)
March 27, 2001**

The Department of Water Resources (DWR) hosted the Cultural Resources Work Group kick-off meeting March 27, 2001 in Oroville.

A summary of the discussion, decisions made, and action items is provided below. This summary is not intended to be a transcript, analysis of the meeting, or to indicate agreement or disagreement with any of the items summarized, except where expressly stated. The intent is to present a summary of the discussion for information purposes for interested parties who could not attend the meeting.

Introduction

Attendees were welcomed to the Cultural Resources Work Group meeting. Shirley Prusia welcomed participants to the Mooretown Rancheria, site of the meeting. Dale Hoffman-Floerke of the Department of Water Resources was introduced as the Resource Area Manager for the Cultural Resources Work Group. The Cultural Resources Work Group Meeting agenda and a list of meeting attendees and their affiliations are appended to this summary as Attachments 1 and 2, respectively. Meeting flip chart notes are included as Attachment 3.

Ground Rules

The Facilitator discussed a set of Ground Rules for participants and the Facilitator. The Ground Rules were presented as a collection of expected actions and behavior that have worked well in other relicensing processes. The Ground Rules could change to meet the needs of the Cultural Resources Work Group contingent upon agreement from participants.

The role of the Facilitator in the relicensing process was described; the Facilitator is a neutral entity and acts as an advocate for the relicensing process, not a particular outcome. As a neutral party the Facilitator's job is to work with the Cultural Resources participants to develop a roadmap and guide the relicensing process to achieve the goals and objectives of the Cultural Resources Work Group. After some discussion, the participants agreed with the Ground Rules. The Ground Rules are appended to this summary as Attachment 4.

Work Group Mandates

The Facilitator described the Work Group mandate as it applies to the relicensing process. She described the differences between the traditional process and the Alternative Licensing Procedure. She added that the ALP has been chosen to provide early, meaningful public participation in the licensing process.

The Facilitator discussed the three-tiered Group Structure proposed for the Oroville Facilities relicensing process; the three tiers are the Plenary Group, Work Groups, and Task Forces. Each tier of the Group Structure was defined with special emphasis and discussion on the roles and responsibilities of the Work Group. The Work Group was described as a resource specific group that provides information and recommendations to the Plenary Group. The Facilitator also described a Task Force as a collection of participants organized to research and resolve specific issues.

The facilitator stressed the time commitment that Work Group participation requires, and that each member should be prepared to think creatively and collaborative when developing settlement agreements for Plenary Group consideration. She added that the special status afforded Indian Tribes created regulatory considerations that made the Cultural Resources Work Group unique.

The consultants tasked with identifying and analyzing cultural resources during the relicensing process were introduced and provided an overview of the analysis process. Robert Orlins with Department of Water Resources, outlined how the consultant team would be implementing the various provisions of Section 106 of the National Historic Preservation Act. Section 106 is a complex set of regulations focused on determining the impact an action might have on cultural resources within the project. The process will include extensive consultation with recognized Tribes and other tribal groups to identify cultural resources, determine which resources required additional study, determine impacts to identified resources, and finally evaluate treatments (mitigation) in the event that impacts are identified.

The Cultural Resources Work Group discussed what constituted a historical or culturally significant resource. Adrian Praetzellis of the Consulting Team, indicated that the National Register of Historic Places recognizes several types of properties including historic buildings, structures (dams, stone walls), objects (statues), sites (archeological sites, historic places with or without remains), and traditional cultural properties (spiritual sites).

Helen McCarthy of the Consulting Team stressed the need for local input when developing the lists of potential resource sites. She added that tribal input is critical given the tendency towards oral histories among Tribes, and would require her to contact Tribes individually to get the necessary information (one-on-one input). She emphasized that no information is generated during the process that does not come from or is checked by the Tribes. Local input will be necessary to identify significant tribal gathering places and religious or ceremonial sites.

- The Work Group discussed the repatriation of native remains and artifacts removed from the area when the project was constructed. The Cultural Resources Work Group agreed that returning collections and providing for a suitable internment of the remains was critical to the success of this process. DWR agreed to determine the current status of artifacts and remains being held by the State and report back to the Cultural Resources Work Group.
- The Cultural Resources Work Group discussed recreational improvement plans targeted for sites within the project. One participant asked how Section 106 would apply to these areas. Adrian Praetzellis responded that an inventory of cultural resources would be required but that the Cultural Resources Work Group would ultimately be responsible for providing the Plenary Group with recommendations regarding those sites. The Cultural Resources Work Group recognized the need for a coordinated effort between the Cultural Resources Work Group and the Recreation and Socioeconomics Work Group to resolve these issues.
- There was some concern regarding tribal representation among the Consultant Team and at the State Historic Preservation Office. The Group was informed that there is a Tribal member in the SHPO representing all Tribal interests throughout the state.
- One participant asked what was included in the study area being considered for cultural resource study. Robert Orlins responded that the Initial Information Package (IIP) included a map that showed the original license boundary. Section 106 looks for "Area of Potential Effect" or APE to define the scope.

Work Group Schedule

Steve Nachtman of the Consulting Team described a detailed draft schedule outlining critical paths to develop issue statements and the draft Scoping Document; he also discussed schedule linkages related to the Cultural Resources Work Group meetings for the next year. The Plenary Group decided to delay distribution of the draft Scoping Document from mid-May to early July to allow the Work Groups more time to develop Issue Statements for inclusion in the draft Scoping Document. Steve described the Cultural Resources Work Group's role in developing these Issue Statements. He provided the Cultural Resources Work Group with milestones in the relicensing process that have occurred to date, including the approval of the ALP process and completion of the IIP.

He explained that study plans will be finished before the end of the year, and pre-study preparations could occur during the winter.

Dale Hoffman-Floerke added that the schedule and all relicensing information was available on the Oroville Facilities Relicensing web site, as well as in the public information repository at the Oroville Library. She added that information would be mailed to participants by request.

Elements of the Initial Information Package (IIP)

Robert Orlins described the IIP as an informal document provided by the licensee to participants and FERC during the relicensing process. The IIP includes a project description, description of environmental resources, information on issues and important topics, and outlines studies significant to the relicensing process. Robert directed the Cultural Resources Work Group to Sections 4.8 and 5.5 of the IIP that describes Cultural Resource issues, including descriptions of people who have lived in the area, and their cultures. He clarified that the Lake Oroville Area extends to the State lands north and east of the Dam, and the lower Feather River area extends west from the dam to the south end of the Wildlife Area. He added that the IIP included a section on the archaeological collection curated by the DPR.

The Cultural Resources Work Group received an errata sheet for the Cultural Resources sections of the IIP. Participants were informed that additional errata corrections could be submitted to DWR through April 30, 2001. The errata sheet specific to the Cultural Resources sections of the IIP is appended to this summary as Attachment 5.

Issues and Interests

The group discussed the development of issue statements recognizing that the issue statements would drive the studies conducted and therefore had to accurately reflect the Cultural Resources Work Group's desires.

The consulting team provided the Cultural Resources Work Group with issues identified during earlier Plenary, Public, and other Work Group meetings. A list of the issues distributed to the Cultural Resources Work Group is appended to this summary as Attachment 6. The Cultural Resources Work Group reviewed the list, and provided some clarification on specific issues and also provided new issues. A complete list of comments on issue revisions and new issues raised is included in the Flip-Chart notes as Attachment 3.

The Cultural Resources Work Group agreed to have the Consulting Team organize the issues received to date into issue statements for review at the next Cultural Resources Work Group meeting.

Next Meeting

The Cultural Resources Work Group agreed to meet again on:

Dates: Tuesday, April 17
Time: 6:00 p.m. to 10:00 p.m.
Location: Mooretown Rancheria, if available

The Cultural Resource Work Group meeting adjourned at 10:00 p.m.

Agreements Made

1. The Cultural Resources Work Group agreed to the Ground Rules as presented.
2. The Cultural Resources Work Group agreed to review draft issue statements developed by the Consulting Team at their next meeting.
3. The Cultural Resources Work Group agreed to meet again on April 17, 2001 from 6 to 10 p.m., at the Mooretown Rancheria if available.

Homework

Participants agreed it would be helpful to prepare a short paragraph describing what they each feel should be the focus of the cultural resources study process and bring that to the next meeting.

Action Items

The following list of action items identified by the Cultural Resources Work Group includes a description of the action, the participant responsible for the action, and item status.

Action Item #C1: Bring Bulletin 38 to the next Cultural Resources Work Group meeting.
Responsible: Consulting Team
Due Date: April 17, 2001

Action Item #C2: Provide update to the Cultural Resources Work Group regarding the storage of artifacts and remains currently held by the State.
Responsible: DWR staff
Due Date: April 17, 2001

Action Item #C3: Provide a copy of Section 106 of the National Historic Preservation Act to the document repository and to participants upon request.
Responsible: Consulting Team
Due Date: April 17, 2001

Action Item #C4 Consultants to draft Issue Statements based on issues and interests described to date for review and comment at the next Cultural Resources Work Group meeting.
Responsible: Consulting Team
Due Date: April 17, 2001

**Cultural Resources Work Group Meeting Agenda
Oroville Facilities Relicensing (FERC Project No. 2100)
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Agenda

Desired Outcomes

- *Acceptance of Ground Rules*
- *Concurrence with Work Group Schedule and Mandate*
- *Concurrence with Work Group Schedule*
- *Commitment to an understanding Roles and Expectations by all participants*

- 1. Welcome, Opening Remarks, Introductions**
- 2. Agenda and Ground Rules**
- 3. Work Group Mandate**
- 4. Work Group Schedule**
- 5. Elements of the Initial Information Package**
- 6. Issues and Interests**
- 7. Action Items, Next Meeting and Next Steps**